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**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

VICTOR HUGO SANTOYO-PRADO,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-74889

Agency No. A77-158-253

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 17, 2006^{**}

Before: B. FLETCHER, HAWKINS and THOMAS, Circuit Judges.

This is a petition for review of an order denying petitioner's application for cancellation of removal. We have reviewed petitioner's response to the court's February 27, 2006 order to show cause, and we conclude that this petition for

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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review is appropriate for summary disposition. *See* 8 U.S.C. § 1229b(d)(1) (“ . . . any period of continuous residence or continuous physical presence in the United States shall be deemed to end . . . when the alien is served a notice to appear . . .”); *Garcia-Ramirez v. Gonzales*, 423 F.3d 935, 937 n. 3 (9th Cir. 2005) (per curiam) (stating accrual of physical presence time ends when removal proceedings are commenced through service of a notice to appear); *United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard for summary disposition).

PETITION FOR REVIEW DENIED.